## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA FLORENCE DIVISION

C.A. No.: 4:05-2506-TLW-TER

This action has been filed by the plaintiff, who is proceeding *pro se*. This matter is now before the undersigned for review of the Report and Recommendation ("the Report") filed by United States Magistrate Judge Thomas E. Rogers, III, to whom this case had previously been assigned pursuant to 28 U.S.C. § 636(b) and Local Rule 73.02(B)(2) (D.S.C.). In his Report, Magistrate Judge Rogers recommends that the complaint in the above-captioned case be dismissed without prejudice and without issuance and service of process. (Doc. #5). No objections to the Report have been filed.

This Court is charged with conducting a <u>de novo</u> review of any portion of the Magistrate Judge's Report to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that report. 28 U.S.C. § 636. No objections have been filed to the Report. In the absence of objections to the Report and Recommendation of

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the Magistrate Judge, this Court is not required to give any explanation for adopting the

recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

A review of the record indicates that the Report accurately summarizes this case and the

applicable law. For the reasons set forth and articulated by the Magistrate Judge, it is hereby

**ORDERED** that the Magistrate Judge's Report is **ACCEPTED** (Doc. # 5), and the complaint is

hereby **DISMISSED** without prejudice and without issuance and service of process.

IT IS SO ORDERED.

s/ Terry L. Wooten

TERRY L. WOOTEN UNITED STATES DISTRICT JUDGE

January 31, 2006

Florence, South Carolina

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